

Message Text

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FM AMCONSUL QUEBEC

TO SECSTATE WASHDC PRIORITY 946

INFO AMEMBASSY OTTAWA PRIORITY

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E.O. 11652: N/A

TAGS: PINT, BGEN, SGEN, SEDU, CA

SUBJECT: GOQ PROPOSES MAJOR RESTRICTIONS ON USE OF ENGLISH
IN QUEBEC

1. SUMMARY: CULTURAL DEVELOPMENT MINISTER CAMILLE LAURIN
UNVEILED APRIL 1 WHITE PAPER DESIGNED MAKE QUEBEC "BASICALLY
FRENCH" BY PLACING MAJOR LIMITS ON USE OF ENGLISH IN EDUCATION,
BUSINESS AND THE COURTS. MOREOVER, HE DENIED ANGLOPHONES
HAVE ANY "ACQUIRED RIGHTS" IN TERMS OF CONSTITUTIONAL LANGUAGE
PROTECTION. LAURIN STATED GOQ WOULD DISREGARD ANY FEDERAL
GOVERNMENT OR COURT FINDING THAT ANY PROVISION OF "FRENCH
LANGUAGE CHARTER" WAS UNCONSTITUTIONAL. HIGHLIGHTS OF WHITE
PAPER INCLUDE PROPOSAL THAT LAWS AND COURT JUDGMENTS WILL BE
OFFICIAL IN FRENCH VERSION ONLY, THAT ALL DOCUMENTS IN PUBLIC ADMIN-
ISTRATION MUST BE IN FRENCH ONLY, THAT BUSINESSES MUST OBTAIN
"CERTIFICATE OF FRANCISATION" BY 1983, THAT ALL SIGNS AND CONTRACTS
MUST BE IN FRENCH, AND THAT ALL IMMIGRANTS COMING TO QUEBEC
AFTER LANGUAGE LEGISLATION IS PASSED MUST SEND CHILDREN TO
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FRENCH-LANGUAGE SCHOOLS. EXCEPTIONS TO THESE PROPOSALS ARE MADE
FOR ANGLOPHONES ACTING ON PRIVATE MATTERS AND IN AREAS WHERE
SAFETY IS A FACTOR. LAURIN SAYS GOQ RECOGNIZES EXISTENCE OF
ENGLISH-SPEAKING COMMUNITY BUT REFUSES RECOGNIZE THEY HAVE
SPECIAL RIGHTS BEYOND THOSE ENJOYED BY OTHER MINORITIES.
ANGLOPHONE QUEBECERS REACTED STRONGLY AGAINST PROPOSAL BUT
FRANCOPHONES WERE GENERALLY FAVORABLE ALTHOUGH MANY STRESSED

NEED PROTECT RIGHTS OF ENGLISH MINORITY. ANGLOPHONES ANTICIPATED
PUT UP BITTER FIGHT AGAINST LEGISLATION IN NATIONAL ASSEMBLY
BUT PQ MAJORITY EXPECTED ENACT LAW DIFFERING LITTLE FROM PROPOSALS.
WHEN PASSED, LEGISLATION WILL MAKE QUEBEC ESSENTIALLY UNILINGUAL
FRENCH AND PLACE OTTAWA IN VERY DIFFICULT POSITION. ANY OTTAWA
DISAVOWAL OF FRENCH CHARTER OR FINDING OF UNCONSTITUTIONALITY WILL
ENABLE LEVESQUE PLAY TO TRIBAL INSTINCTS OF QUEBECOIS BY POSING
AS SOLE DEFENDER OF FRENCH QUEBEC. LEGISLATION PROMISES A
DIFFICULT TIME FOR MANY IN MINORITY BUT PRESENT
PERIOD OF BASIC SOCIAL TRANSITION IS PROBABLY IRREVERSIBLE
SHORT OF IMPROBABLE FORCEFUL INTERVENTION FROM OUTSIDE QUEBEC.
END SUMMARY

2. IN A MOVE DESIGNED TO MAKE QUEBEC UNILINGUALLY FRENCH, GOQ
REVEALED TO PUBLIC ON APRIL 1 ITS "FRENCH LANGUAGE CHARTER."
DOCUMENT IS STATEMENT OF PARTI QUEBECOIS LANGUAGE POLICY,
WHICH WILL FORM BASIS OF LEGISLATION TO BE INTRODUCED IN NATIONAL
ASSEMBLY AFTER EASTER. NEW CHARTER PROPOSES TO LIMIT USE OF ENGLISH
IN EDUCATION, BUSINESS AND THE COURTS. MINISTER OF STATE FOR
CULTURAL DEVELOPMENT, CAMILLE LAURIN, IN INTRODUCING NEW POLICY
ANNOUNCED GOQ INTENDS TO END ANY POSSIBILITY OF A BILINGUAL QUEBEC
BY PLACING MOST SEVERE RESTRAINTS ON OFFICIAL USE OF ENGLISH
IN HISTORY OF QUEBEC AND ENFORCING RESTRAINTS WITH SYSTEM OF FINES.
LAURIN SAID THAT GOQ WOULD NOT ACCEPT ANY FEDERAL GOVERNMENT OR
COURT RULING THAT ANY PROVISION OF THE LANGUAGE CHARTER IS UNCON-
STITUTIONAL. "LET THEM CHANGE THE CONSTITUTION," HE COMMENTED.

3. HIGHLIGHTS OF PAPER INCLUDE PROPOSALS THAT LAWS WILL BE
PASSED AND COURT JUDGMENTS WILL BE RENDERED IN FRENCH ONLY.
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INDIVIDUALS WILL BE ABLE TO DEAL WITH COURTS IN ENGLISH AND
RECEIVE ENGLISH TRANSLATIONS OF JUDGMENTS, BUT BUSINESSES BEFORE
THE COURTS WILL HAVE TO PLEAD IN FRENCH. INDIVIDUALS WILL BE
ABLE TO COMMUNICATE WITH PUBLIC ADMINISTRATION IN ENGLISH AND
RECEIVE REPLY IN ENGLISH BUT THIS RIGHT IS TO BE PHASED OUT FOR
COMPANIES. ALL DOCUMENTS IN THE PUBLIC ADMINISTRATION, WHICH
INCLUDES PROVINCIAL GOVERNMENT, QUEBEC CROWN CORPORATIONS,
MUNICIPALITIES AND SCHOOL BOARDS, WILL BE IN FRENCH ONLY EXCEPT
WHEN THEY DEAL WITH MATTERS OF PUBLIC SECURITY AND SAFETY,
OR WHEN THEY ARE ADDRESSED TO TOURISTS AND FOREIGNERS. ENGLISH WILL
BE PERMITTED IN NATIONAL ASSEMBLY EVEN THOUGH SOME OF RADICAL
PEQUISTES WANTED TO END THAT PRIVILEGE WHICH IS WRITTEN INTO
BRITISH NORTH AMERICA ACT. NOT CLEAR HOW LAW MIGHT BE APPLIED TO
FEDERAL CROWN CORPORATIONS OPERATING IN QUEBEC SUCH AS AIR
CANADA AND CANADIAN NATIONAL RAILWAYS.

4. HIGHLIGHTS AFFECTING BUSINESS INCLUDE PROPOSAL THAT BUSINESSES
WITH 50 OR MORE EMPLOYEES MUST OBTAIN A "CERTIFICATE OF FRAN-
CISATION" BY 1983, BY WHICH TIME THEY MUST HAVE ALREADY IMPLEMENTED

A PROGRAM TWO YEARS EARLIER TO PROMOTE USE OF FRENCH. COMPANIES THAT DO NOT OBTAIN THEIR "CERTIFICATE OF FRANCISATION" ON TIME WILL NOT HAVE RIGHTS TO GOVERNMENT PERMITS, SUBSIDIES OR TO DO BUSINESS WITH THE PROVINCE, PUBLIC UTILITIES, JUNIOR COLLEGES, UNIVERSITIES, AND HEALTH SERVICES. INDIVIDUALS WILL BE ALLOWED TO DRAFT AND SIGN PRIVATE BUSINESS CONTRACTS IN ENGLISH, BUT ALL CONTRACTS WITH

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PUBLIC ADMINISTRATION MUST BE IN FRENCH. COLLECTIVE AGREEMENTS AND ARBITRATION RULINGS MUST BE IN FRENCH. ALL DISPLAY ADVERTISING SUCH AS BILLBOARDS AND NEON SIGNS MUST BE IN FRENCH UNLESS ADDRESSED TO NON QUEBECERS OR UNLESS IT RELATES TO PUBLIC HEALTH AND SAFETY.

5. IN EDUCATIONAL FIELD, PQ WHITE PAPER PROPOSES THAT ALL IMMIGRANTS COMING TO QUEBEC AFTER THE LANGUAGE LEGISLATION IS ADOPTED WILL HAVE TO SEND THEIR CHILDREN TO FRENCH-LANGUAGE SCHOOLS. ENGLISH LANGUAGE SCHOOLS WILL LIMITED TO CHILDREN ALREADY ENROLLED IN THEM, OR CHILDREN WHO HAVE BROTHERS OR SISTERS ALREADY ENROLLED; TO CHILDREN WHOSE MOTHER OR FATHER ATTENDED ENGLISH-LANGUAGE ELEMENTARY SCHOOLS OUTSIDE QUEBEC PROVIDED THEY ARE DOMICILED IN QUEBEC WHEN CHARTER IS ADOPTED; AND TO CHILDREN WHOSE MOTHER OR FATHER ATTENDED ENGLISH-LANGUAGE SHCOOL IN QUEBEC. IN A MOVE TO PLACATE TRANSIENT BUSINESS EXECUTIVES, PAPER PROPOSES THAT TEMPORARY RESIDENTS IN QUEBEC HAVE ACCESS TO ENGLISH-LANGUAGE SCHOOLS. WHITE PAPER THUS REPLACES CONTROVERSIAL AND ARBITRARY

ENGLISH APTITUDE TESTS USED IN BILL 22 (LIBERAL GOVERNMENT LAW OF 197
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TO RESTRICT ADMISSION TO ENGLISH SCHOOLS WITH A STRICT, UNBENDING
STANDARD.

6. GOQ ALSO INTENDS TO SET UP A COMMISSION ON PLACE-NAMES WHICH
WILL GIVE FRENCH NAMES TO GREATEST POSSIBLE NUMBER OF GEOGRAPHICAL
LOCATIONS. COMPANIES WILL ALSO BE EXPECTED TO ADOPT FRENCH
NAMES.

THIS COMBINED WITH SIGNS IN FRENCH ONLY IS INTENDED TO GIVE PROVINCE
A FRENCH LOOK.

7. LAURIN SAID BILL IS DESIGNED TO GIVE FRENCH-SPEAKING MAJORITY
RIGHT TO SPEAK THEIR LANGUAGE AT WORK, IN STORES AND RESTAURANTS,
IN PUBLIC MEETINGS, IN DEALING WITH ALL PUBLIC ADMINISTRATIONS,
HEALTH SERVICES, PROFESSIONAL CORPORATIONS, LABOR UNIONS, AND
BUSINESSES. NO EMPLOYER WILL BE ABLE TO PENALIZE OR DISMISS A
WORKER FOR SPEAKING A LANGUAGE OTHER THAN FRENCH. ANYONE WHO
REFUSES SERVICE IN FRENCH TO CUSTOMERS WILL BE LIABLE TO A FINE.
LAURIN SAID WHITE PAPER WILL NOT TAKE AWAY ANYONE'S RIGHT TO
SPEAK ENGLISH EXCEPT AS DEFINED IN WHITE PAPER. HE SAID GOQ
DOES NOT ACCEPT IDEA THAT ENGLISH HAVE ACQUIRED RIGHTS IN QUEBEC
FROM BRITISH NORTH AMERICA ACT OR OTHER LEGISLATION. PAPER RECOG-
NIZES EXPLICITLY THAT AN ENGLISH-SPEAKING CULTURE AND PEOPLE
EXIST IN QUEBEC BUT SEES NO CONSTITUTIONAL GUARANTEES PROTECTING
THEIR RIGHTS TO ENGLISH EDUCATION NO MORE THAT OTHER GROUPS HAVE
RIGHTS TO EDUCATION IN THEIR LANGUAGE.

8. ANGLOPHONE QUEBECERS REACTED STRONGLY AGAINST PROPOSALS. SOME
EDUCATORS CALLED IT REPRESSIVE, EXTREME, UNCONSTITUTIONAL,
AND DISCRIMINATORY. THEY FEAR IT WILL BRING STRANGULATION OF
ENGLISH SCHOOL SYSTEM. OTHERS FOCUSED ON ITS POSSIBLE EFFECTS
ON BUSINESS. UNION NATIONALE DEPUTY WILLIAM SHAW SAID
POLICY IS DESIGNED TO INTIMIDATE ANGLOPHONES. HE EXPRESSED HOPE
TRUDEAU WOULD ACT TO PROTECT MINORITY RIGHTS UNDER CONSTITUTION.
LIBERAL MNA JOHN CIACCIA SAID POLICY IS AN ATTACK
ON INDIVIDUAL LIBERTIES. IMMIGRANT GROUPS APPEAR TO BE
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SPLIT. SOME, WHOSE CHILDREN WILL BE ALLOWED TO ATTEND ENGLISH
SCHOOLS, PRAISED PAPER CITING ITS EQUAL TREATMENT FOR ALL NON-
FRANCOPHONES. OTHERS CRITICIZED IT STRONGLY FOR RESTRICTING
FLOW OF CHILDREN INTO ENGLISH SECTOR AND ANNOUNCED PLANS TO
FIGHT IT.

9. UNION NATIONALE LEADER RODRIGUE BIRON SAID HIS PARTY IS READY TO COOPERATE WITH PQ GOVERNMENT IN EXPANDING FRENCH USE AS LONG AS MINORITY RIGHTS ARE PROTECTED. LIBERAL LEADER GERARD D. LEVESQUE MADE NO COMMENT BUT FORMER MINISTER IN CHARGE OF BILL 22 FERNAND LALONDE SAID HE IS BROADLY IN AGREEMENT WITH PROPOSED POLICY EXCEPT WHERE IT TRIES TO FORCE FRENCH ON BUSINESSES. QUEBEC'S NATIONALIST SOCIETE ST. JEAN BAPTISTE SAID THAT IT WAS SATISFIED WITH PQ PLANS FOR MAKING FRENCH DOMINATE LANGUAGE OF PROVINCE IN ADMINISTRATION, WORK, AND EDUCATION. RADICAL LEADERSHIP OF QUEBEC TEACHERS CORPORATION WAS GENERALLY PLEASED BUT EXPRESSED REGRET MORE NOT DONE TO ELIMINATE ENGLISH SCHOOLS.

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10. COMMENT: AFTER SEVERAL DELAYS AND MUCH INTRA-CABINET DISSENSION ON BOTH SIDES OF ISSUE, NEW GOVERNMENT HAS ABANDONED AMBIGUOUS POLICY FOLLOWED BY RECENT GOVERNMENTS AND DECIDED TO TAKE CLEAR POSITION IN FAVOR OF FRENCH UNILINGUALISM IN QUEBEC AND RELEGATION OF ENGLISH TO SECOND RANK. FOLLOWING PQ ELECTION PROGRAM, WHITE PAPER IS DESIGNED TO TRY TO MOVE BURDEN OF BILINGUALISM IN QUEBEC FROM SHOULDERS OF FRENCH-SPEAKING MAJORITY AND PLACE IT ON MINORITIES. THIS SHIFTING OF BURDEN OF LEARNING SECOND LANGUAGE IS A PHENOMENON ALREADY WELL UNDERWAY IN QUEBEC FOLLOWING IMPETUS OS SOCIOLOGICAL CHANGES AND INCREASING FRANCOPHONE MILITANCY OF LAST FIFTEEN YEARS. ENGLISH SPEAKERS WHO ARE BEARING BRUNT OF CHANGES ARE WELL AWARE OF THEM BUT FRENCH-SPEAKERS ARE NOT YET

SATISFIED. THIS LEGISLATION SHOULD GO LONG WAY TOWARD MAKING REVERSAL COMPLETE AND PERMANENT. ANGLOPHONES AND SOME FEDERALLY ORIENTED FRANCOPHONES WHO CLAIM THEIR "HUMAN RIGHTS" ARE BEING VIOLATED WILL FIGHT THIS LEGISLATION UNTIL MOMENT OF ADOPTION AND THEN IN THE COURTS AFTERWARDS. ITS PROVISIONS ON EDUCATION OF CHILDREN FROM REST OF CANADA AS WELL AS SEVERAL CLAUSES WHICH APPEAR TO SOME--BUT NOT ALL--LEGAL EXPERTS TO BE IN LIMITED OFFICIAL USE

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CONFLICT WITH ARTICLE 133 OF BRITISH NORTH AMERICA ACT COULD BRING EARLY AND LONG CONFLICT WITH OTTAWA. LAURIN CLEARLY INDICATED THAT QUEBEC WOULD DISREGARD ANY FINDING LAW WAS UNCONSTITUTIONAL. PQ NO DOUBT WOULD WELCOME COURT CHALLENGES PERMITTING GOQ TO ASSUME STANCE OF ONLY ENTITY CAPABLE OF PROTECTING FRENCH QUEBEC. AN ENGLISH BACKLASH IN REST OF CANADA AGAINST THIS LAW WOULD ALSO GIVE RENE LEVESQUE A PROPAGANDA TOOL TO INFLAME TRIBAL INSTINCTS OF QUEBECOIS. LEGISLATION HAS CLEARLY PUT OTTAWA'S BACK AGAINST WALL AND LEFT FEDERALISTS IN QUEBEC FLOUNDERING AS THEY DO NOT WANT TO APPEAR TO BE AGAINST LEGISLATION DESIGNED MAKE QUEBEC MORE FRENCH.

11. FINAL LANGUAGE OF LAW COULD DIFFER IN DETAIL FROM PROPOSALS BUT PROBABLY WILL NOT BE ALTERED SIGNIFICANTLY DESPITE BITTER ADOPTION FIGHT AHEAD. CABINET WRANGLING OVER DETAILS, PARTICULARLY IN EDUCATION FIELD, BUT SHOULD BE ABLE TO UNITE ITS 71 MNA'S BEHIND BASIC PROPOSALS. LAW WHEN PASSED WILL NO DOUBT HASTEN EXIT OF MANY ANGLOPHONES, KILL BILINGUALISM AS A BURDEN FOR FRANCOPHONES, AND CHANGE IMMIGRATION PATTERNS INTO THE PROVINCE. IT PROMISES A DIFFICULT TIME FOR MANY IN MINORITY BUT PRESENT PERIOD OF BASIC SOCIAL TRANSITION IS PROBABLY UNSTOPPABLE SHORT OF MOST UNLIKELY FORCEFUL INTERVENTION FROM OUTSIDE QUEBEC.

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